IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

ERIC W. LIIMATTA	)	
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APPLN NO.: 10/603,130	)	**GROUP ART UNIT: 1761**
	)	
FILED: JUNE 24, 2003	)	**EXAMINER: ARTHUR L. CORBIN**
	)	
MICROBIOCIDAL CONTROL IN THE PROCESSING OF POULTRY	)	
	)	

CONFIRMATION NO.: 9877

Commissioner for Patents
PO Box 1450
Alexandria, VA 22313-1450

Sir:

DECLARATION UNDER 37 CFR § 1.132

Dr. Eric W. Liimatta hereby declares as follows:

1. I am the applicant in the above referenced application.

2. I am a chemist, having earned a Bachelor of Science from Macalester College in 1984, and a Master of Science and a PhD in Chemistry from Northwestern University in 1985 and 1988, respectively.

3. Since 1989, I have been employed as a chemist by Albemarle Corporation and the predecessor thereof, Ethyl Corporation, at the research laboratory facilities in Baton Rouge, Louisiana. My present position is that of Research and Development Advisor.

4. On or about November 30, 2005, I conducted, or caused to be conducted, in the United States of America, at Hill Top Acquisition Corporation at Miamiville, Ohio, the test work described herein.

5. This study was conducted using a modified AOAC Disinfectant For Swimming Pools Test of SSBC (sulfamate stabilized bromine chloride) at a concentration of 4.4 ppm measured as Cl_2.

6. The test organism was *Campylobacter jejuni* ATCC 33560 and the test medium contained 5% chicken blood as a soil load. The test was performed at two temperatures, 20°C and 4.4°C.

7. Two biocidal treatment contact times were tested, 30 seconds and 600 seconds.

8. The test medium containing the bacteria at each specific temperature was treated with the microbiocidal composition, SSBC, by contacting the test medium with the composition for the specific time, then neutralized, serially diluted and plated on tryptic soy agar containing 5% sheep blood. For the Controls, the same procedure was followed except there was no treatment with SSBC.

9. All inoculated plates were incubated at 35°C for 48 hours.

10. After the incubation period, the plates were read, the colony forming units per milliliter (cfu/ml) were counted and the numbers of surviving organisms for the treated samples were calculated using the following formula:

Percent Bacteria Reduction from Control =

100-[(Bacteria count of treated sample / Bacteria count of non-treated control) X 100].

11. Results were reported against untreated controls.

12. Data is found on the attached Appendix.

13. Observation: Percent reduction of bacteria at both temperatures for the shorter (30 second) treatment contact times of the microbiocidal composition, SSBC, showed surprisingly better efficacy (greater % reduction of bacteria) that at longer treatment contact times (600 seconds).

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the above identified application and any patent issuing therefrom.

Eric W. Liimatta

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Date: Jan. 16, 2007

Appendix

Sample ID	Temperature (°C)	Treatment Contact Time with SSBC (Seconds)	Bacteria Count (cfu/ml)	Percent Bacteria Reduction from Control (%)
Control	20	30	1.4×10^7	Not applicable
Control	20	600	3.4×10^5	Not applicable
Control	4.4	30	1.7×10^7	Not applicable
Control	4.4	600	4.0×10^5	Not applicable
Treated 1	20	30	5.1×10^5	96.3
Treated 2	20	600	7.0×10^5	No reduction
Treated 3	4.4	30	4.3×10^5	97.5
Treated 4	4.4	600	3.5×10^5	12.5